

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN DOE 1,

Plaintiff,

-v.-

EAST SIDE CLUB, LLC., JOHN DOE 2, and
JOHN DOE 3,

Defendants.

18 Civ. 11324 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

In connection with Defendants’ pending petition for attorneys’ fees and litigation expenses, attorney Thomas D. Shanahan submitted a declaration that included among its exhibits both contemporaneous invoices that were submitted to — and, the Court understands, paid by — Defendants (*see* Dkt. #167, Ex. A-C), as well as several non-contemporaneous “billing and expense sheets” that were prepared in connection with Defendants’ position (*see id.*, Ex. D-F). The Court has compared the time entries listed in the invoices and in the billing and expense sheets, and it notes that the latter category of documents contains a number of time entries that are not contained in the invoices, including entries for November 2, 2019, November 4, 2019, November 8, 2019, November 9, 2019, November 12, 2019, November 14, 2019, November 15, 2019, November 16, 2019, November 21, 2019, November 22, 2019, January 3, 2020, January 6, 2020, January 7, 2020, January 9, 2020, January 10, 2020, January 11, 2020, January 12, 2020, January 13, 2020, January 14, 2020, January 16, 2020, January 17, 2020,

January 19, 2020, January 22, 2020, January 23, 2020, January 28, 2020, January 30, 2020, May 11, 2020, May 12, 2020, May 13, 2020, May 15, 2020, May 17, 2020, and May 20, 2020. Because these discrepancies may impact the amount of attorneys' fees awarded to Defendants, counsel for Defendants is ORDERED to submit a sworn statement, on or before **June 12, 2023**, explaining whether the time entries listed above were in fact billed to and/or paid by Defendants, as well as any additional contemporaneous invoices.

SO ORDERED.

Dated: June 5, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge